

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 04-03-16**

Date Published: March 11, 2004
For Work Week Commencing: March 15, 2004
Commission Meeting: March 16, 2004, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.state.mt.us>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Steve Vick at (406) 444-6187. He may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

9:00 a.m. Weekly Scheduling (Commission Conference Room)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. NorthWestern Energy D96.2.22 Order No. 5898h (Dave B)

On March 1, 2004, NorthWestern Energy (NWE) filed a request to collect \$819,915 which NWE over credited to customers. NWE proposes to collect this amount by reflecting it as an offset in the CTC-GP-Credit, which was originally used to give customers the Sales Proceeds Credit beginning in February 2001. The CTC-GP-Credit is analyzed as part of the CTC-GP-RA Credit annual adjustment filing which will be made in March and have an April 1, 2004 effective date. Commission approval will allow NWE to collect this balance over a one-year period, however, the balance will be monitored and collection will stop at the time the balance is fully exhausted.

2. Energy West Inc. D2004.3.30 (Eric)

On March 1, 2004, EW filed an application seeking approval of a credit agreement between EW and LaSalle Bank National Association and approval of additional liens to the trustees for holders of EW's long-term debt. The Company's current line of credit requires the Company to refinance \$8,000,000 of the currently authorized \$23,000,000 to reduce the maximum credit under the current line of credit to \$15,000,000. \$6,000,000 will be converted to a senior term loan which will have a five-year term. \$2,000,000 will a bridge facility which must be refinanced in six months with that amount of new equity. A default order has been drafted.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. D2003.1.14 – Western Wireless – Application for ETC in Montana Nonrural (Qwest) Area. (3/16/04)
2. D2004.2.23, et al. – MITS / MTA – ETC Rulemaking, Motion for Stay of Pending ETC Matters. (3/16/04)
3. D2003.12.165 – Energy West Montana – Property Tax. (3/16/04)
4. N2004.1.15 – NorthWestern Energy – Default Electricity Supply Resource Plan. (3/16/04)
5. D2003.6.66 – NorthWestern Energy – Storage Reporting. (3/16/04)
6. NorthWestern Energy Bankruptcy – Placeholder to Get Direction on Any Matter Related to the Bankruptcy. (3/16/04)
7. **1:00 p.m.** – N2004.1.15 – NorthWestern Energy – Default Electricity Supply Resource Plan. (3/16/04)

Other Meetings

3/17/04 9:00 a.m. – WWC Holding Co. Hearing (Bollinger Room)

3/18/04 9:00 a.m. – WWC Holding Co. Hearing (Bollinger Room)

3/19/04 9:00 a.m. – WWC Holding Co. Hearing (Bollinger Room)

Weekly Scheduling – Will be held at 9:00 a.m. on the day of the Commission Meeting

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.state.mt.us/PublicComment/PublicComment.htm>. Comments should reference the docket number of the matter.

1. Qwest Communications N2004.3.34 (Leroy)

On March 5, 2004, Qwest Communications filed Tariff Transmittal 04-04, Business Line Volume Purchasing Plan (BLVPP). The plan allows discounts on Basic flat-rated lines (1FBs); Qwest Business Line Plus, Qwest Choice Business, Business Custom Choice, and Centrex 21 Service. The customer may subscribe to any combination of these basic exchange services to qualify for the discount. In addition, at the customer's request, hunting will be included in the plan at no additional charge.

2. Qwest Communications N2004.3.33 (Scott)

On March 5, 2004 Qwest filed Tariff Transmittal 04-03 Promotion - Digital Switched Service. This promotional price for Advanced DSS Customers who install new service, renew existing contracts or convert from a month-to-month purchase arrangement to a contract. The bulk price for a 36 month contract during the promotional period for the DS1 facility, common equipment; and up to 12 DSS advanced trunks is \$370.00 per month. The promotional period is from April 5, 2004, through July 2, 2004. The

promotion is available where it is technically feasible and where facilities are available.

3. Sempra Energy Trading Corp. N2004.3.31 (Will)

On March 2, 2004, Sempra Energy Trading Corp. filed an application for a license to offer and sell retail electricity supply services to large commercial and industrial customers in NorthWestern Energy's service territory.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2004.3.32 – Qwest and Avika Communications, Inc. – Application for Approval of Adoption of Wireline Interconnection Agreement

N2004.3.33 – Qwest – Tariff Transmittal 04-03 – Promotion - Digital Switched Services (DSS)

N2004.3.34 – Qwest Tariff Transmittal 04-04 – Business Line Volume Purchasing Plan (BLVPP)

D2004.3.35 – Ronan Telephone Company and Hot Springs Telephone Company – Petition for Suspension of Local Number Portability Implementation Pursuant to 47 U.S.C. 251(f)(2)